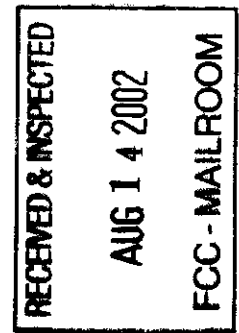




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Federal Communications Commission
Washington, D.C. 20554

C4C203
Imaging Center



August 7, 2002

Douglas Bennett
13238 Regency Forest
San Antonio, Texas 78249

Dear Mr. Bennett

This is in response to the petition for rule making you filed on June 10, 2002, requesting the allotment of Channel 267C1 to Eagle Pass, Texas, as that community's second commercial aural service.

Although your proposal contains specific information as to the channel number and class of channel requested, as well as the community requested and the reason for the requested amendment, as required by Section 1.401 of the Commission's Rules, it cannot be considered as filed. The petition did not include a technical showing to demonstrate that the proposed amendments will comply with the minimum distance separation requirements of Section 73.207 of the Commission's Rules. All foreign and domestic allotments must also be considered in the showing.

Furthermore, Section 1.52 of the Commission's Rules requires that the original of any document filed with the Commission by a party not represented by counsel, be signed and verified by the party and his/her address stated. Although your request was signed and an address provided, you did not include an affidavit verifying that the statements contained in your request are accurate to the best of your knowledge and belief. In the absence of such verification, the petition may be dismissed. Section 1.401(b) of the Commission's Rules concerning rule making proceedings places petitioner on notice that their proposal must conform to the requirements of Section 1.52 regarding subscription and verification. See also Amendment of Sections 1.420 and 73.3584 of the Commission's Rules Concerning Abuses of the Commission's Processes, 5 FCC Rcd 3911, n.41 (1990).

Based on the reasons stated above, we are returning your petition for rule making. You may refile your petition, provided your proposal meets all the requirements stated above.

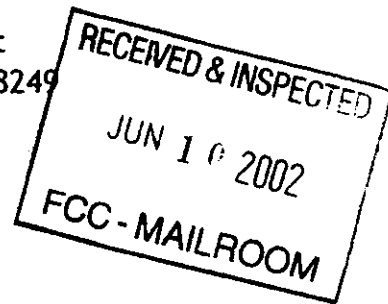
Sincerely,

John A. Karousos
Assistant Chief, Audio Division
Media Bureau

Enclosure

13238 Regency Forest
San Antonio, Texas 78249

May 27, 2002



Audio Division (MB)
c/o Office of the Secretary TW B204
FCC
445 12th Street NW
Washington, DC 20554

Dear Sir or Madam:

Please accept this letter as my proposal to change the FM Table of Allotments.

**Proposal to allot *Channel 267 C1* to the community of *Eagle Pass, Texas*,
78853 as it's second commercial aural service.**

Proposed reference coordinates are 28° 39' 26" N 100° 25' 0" W

If the above mentioned channel is allotted to this community, it is my intention to apply for a construction permit.

Regards,

A handwritten signature in black ink, appearing to read "Douglas Bennett". The signature is stylized with loops and a horizontal line extending to the left.

Douglas Bennett